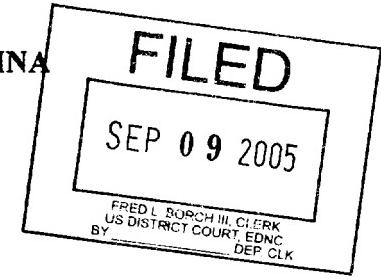


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**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
CIVIL ACTION NO. 5:05-CV-48-FL(1)**

RICHARD P. NORDAN, as Ancillary)
Administrator for the separate Estates of)
STEPHEN S. HELVENSTON, MIKE R.)
TEAGUE, JERKO GERALD ZOVKO and)
WESLEY J. K. BATALONA,)
)
 Plaintiff,)
)
 v.)
)
BLACKWATER SECURITY)
CONSULTING, LLC, a Delaware Limited)
Liability Company; BLACKWATER)
LODGE AND TRAINING CENTER, INC.,)
a Delaware Corporation, JUSTIN L.)
McQUOWN, an individual; and THOMAS)
POWELL, an individual,)
)
 Defendants.)



**DEFENDANT JUSTIN L. MCQUOWN'S
NOTICE OF APPEAL**

Notice is hereby given that Defendant Justin L. McQuown hereby appeals to the United States Court of Appeals for the Fourth Circuit from the August 11, 2005 Order granting Plaintiff Richard P. Nordan's Motion to Remand and denying as moot McQuown's Motion to Dismiss Plaintiff's Complaint under Federal Rule of Civil Procedure 12(b)(6).

This the 9th day of September, 2005.

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By:



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CERTIFICATE OF SERVICE

This is to certify that the undersigned has this date served the foregoing in the above-entitled action upon all other parties to this cause by facsimile and U.S. Mail, addressed to the following parties:

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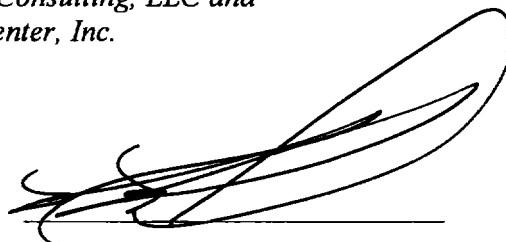
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This the 9th day of September, 2005.

A handwritten signature consisting of several loops and lines, appearing to be a stylized form of the letter "K".